

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

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**MICHIGAN CATHOLIC CONFERENCE, *et al.*,**

***Plaintiffs,***

**v.**

**KATHLEEN SEBELIUS, *et al.*,**

***Defendants.***

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)  
) Case No.: 1:13-cv-01247

) The Honorable Gordon J. Quist

) *Electronically Filed*  
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**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE EXCESS  
PAGES FOR REPLY IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION**

Plaintiffs, by and through their undersigned counsel, hereby move with Defendants' consent for leave to file a reply brief in excess of the ten (10) page limit for the following reasons:

1. Plaintiffs seek injunctive relief relating to eight (8) distinct counts in a 235-Paragraph Complaint challenging regulations promulgated by Defendants pursuant to the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, 124 Stat. 119 (2010), that require health plans to offer coverage for abortion-inducing drugs, contraception, sterilization, and related counseling (the "Mandate") and that narrowly define "religious employer" for an exemption from the Mandate.

2. Under this Court's Local Rules of Practice and Procedure, reply briefs are limited to ten pages. *See* Local Rules of Practice and Procedure 7.2 (a), (c).

3. On December 17, 2013, Plaintiffs corresponded with Defendants and they consented to Plaintiffs seeking leave to file a reply brief of up to thirty-eight (38) pages.

4. Plaintiffs' Reply brief in support of their Motion for Preliminary Injunction (attached hereto as Exhibit 1) will require up to thirty-eight (38) pages because it:
- a. must address Defendants' arguments regarding standing;
  - b. must address complex legal arguments involving fundamental rights under the Religious Freedom Restoration Act;
  - c. must address complex legal arguments involving fundamental rights under the Free Exercise, Establishment, and Free Speech Clauses of the First Amendment;
  - d. must address complex legal arguments involving the Administrative Procedure Act; and
  - e. must address why Plaintiffs satisfy the requirements for preliminary injunctive relief.

5. As such, Plaintiffs' aforementioned reply brief will best aid the Court in deciding the relevant issues with up to thirty-eight (38) pages. It is respectfully suggested that the more extensive legal discussion and case citations will assist the Court in adjudicating this matter, and that relaxation of the usual page limit is just and appropriate.

6. No party will be prejudiced by this extension of the page limits, particularly in light of Defendants' consent to this motion.

WHEREFORE, Plaintiffs respectfully request that this Court enter the Proposed Order attached to this motion.

Respectfully submitted, this 17th day of December, 2013.

By: /s/ Matthew A. Kairis

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 17, 2013, I electronically filed the foregoing Plaintiffs' Unopposed Motion for Leave to File Excess Pages for Reply in Support of Motion for Preliminary Injunction with the Clerk of the United States District Court for the Western District of Michigan using the CM/ECF system, which will send notification of such filing to the following counsel of record:

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